



Katie M. Brown
Counsel

Duke Energy
40 W. Broad Street
DSC 556
Greenville, SC 29601

O: 864-370-5296
F: 864-370-5027

Katie.Brown2@duke-energy.com

April 9, 2021

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Chief Clerk/ Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Alex Kadoshnikov v. Duke Energy Carolinas, LLC
Docket Number: 2020-218-E

Dear Ms. Boyd:

Enclosed for filing in the above-referenced docket, please find Duke Energy Carolinas, LLC's ("DEC" or the "Company") Motion to Compel. The Company requests the Commission compel Complainant to respond to its discovery requests by a date certain and dismiss the Complaint should Complainant fail to provide complete responses to the Company's discovery requests by the date established by the Commission. As the Company has shown in its Motion, Mr. Kasoshnikov's responses to the Company's discovery requests are necessary for it to prepare and file direct testimony and to meaningfully participate in the hearing. DEC also requests that the Commission hold its testimony deadline and the hearing in abeyance pending resolution of this motion.

By copy of this letter we are serving the same on the parties of record.

Sincerely,

Katie M. Brown

Enclosure

cc: Alex Kadoshnikov (via U.S. Mail and email w enclosure)
Alexander W. Knowles, Office of Regulatory Staff (via email w enclosure)
Carri Grube Lybarker, Department of Consumer Affairs (via email w enclosure)
Roger P. Hall, Department of Consumer Affairs (via email w enclosure)
Heather Shirley Smith, Duke Energy Carolinas, LLC (via email w enclosure)
Rebecca J. Dulin, Duke Energy Carolinas, LLC (via email w enclosure)
Frank R. Ellerbe, III, Duke Energy Carolinas, LLC (via email w enclosure)
Samuel J. Wellborn, Duke Energy Carolinas, LLC (via email w enclosure)

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2020-218-E

IN RE:)	DUKE ENERGY CAROLINAS,
)	LLC’S MOTION TO COMPEL
Alex Kadoshnikov,)	RESPONSES TO
Complainant/Petitioner)	INTERROGATORIES AND
v.)	PRODUCTION OF DOCUMENTS
)	BY COMPLAINANT
Duke Energy Carolinas, LLC,)	
Defendant/Respondent)	

Pursuant to S.C. Code Ann. Regs. 103-829, 103-833, and 103-835 and Rules 26, 33(a), 34(b) and 37(a) of the South Carolina Rules of Civil Procedure, Duke Energy Carolinas, LLC (“DEC” or the “Company”), by and through counsel, respectfully moves the Public Service Commission of South Carolina (the “Commission”) for an order compelling Complainant Alex Kadoshnikov (“Complainant”) to respond to the Company’s First and Second Sets of Discovery to Complainant. In light of the Company’s impending direct testimony filing deadline of April 27, 2021 and the corresponding need for the withheld information in the Company’s preparation of direct testimony, the Company respectfully requests the procedural deadlines, including the testimony filing deadlines and hearing date, be held in abeyance pending resolution of this motion. The Company also requests that the Commission dismiss the Complaint should Complainant fail to provide complete responses to the Discovery by a date to be established by the Commission.

In support of this Motion, the Company states the following:

I. INTRODUCTION AND BACKGROUND

On September 3, 2020, Complainant filed a complaint with the Commission stating that he wished to have a non-communicating manually read meter installed at his residence, or to have a

meter installed on pole rather than on his residence. On October 2, 2020, the Company filed an answer to the complaint, along with a motion to dismiss. On October 21, 2020, the Commission denied the Company's motion to dismiss, stating that the meter relocation option suggested by Complainant created a question of fact as to whether or not that the meter could be relocated as provided under the Company's tariff. On January 21, 2021, the Commission established a procedural schedule requiring Complainant to file direct testimony on or before April 13, 2021, and the Company to file testimony on or before April 27, 2021, and setting a hearing date of May 18, 2021.

On March 17, 2021, the Company filed its First Set of Discovery to Complainant with the Commission and served a copy on Complainant via electronic mail and U.S. Mail. A copy of the First Set of Discovery, which consists of nine interrogatories and one request for production, is attached hereto as Exhibit A. On April 5, 2021, Complainant responded via email and stated that, with respect to the First Set of Discovery, "my answer to every question is: I plead the fifth." A copy of the April 5, 2021 response from Complainant is attached hereto as Exhibit B. On April 5, 2021, the Company filed its Second Set of Discovery to Complainant and served a copy on Complainant via electronic mail and U.S. Mail. A copy of the Second Set of Discovery, which consists of three interrogatories and one request for production, is attached hereto as Exhibit C.

Complainant did not object to the Company's requests alleging they were excessively burdensome, unreasonable, or otherwise outside the scope of permissible discovery. *See* S.C. R. Civ. P. 26. Instead, Complainant merely pled the fifth, which is a response typically reserved for criminal trials in which an individual may refuse to answer a question to avoid self-incrimination. Complainant's lack of a response to the Company's discovery requests prevents the Company

from having access to information that is necessary for it to prepare and file direct testimony and meaningfully participate in the hearing.

II. ARGUMENT

A. Complainant's responses are deficient under SCRCP Rule 37 and S.C. Code Ann. Regs. 103-833.

Rule 37(a) of the South Carolina Rules of Civil Procedure provides that a party may move for an order compelling discovery where, as here, the responding party fails to answer an interrogatory or produce or allow inspection of documents requested pursuant to Rule 34. Further, under Commission Rule 103-833(b), “[a]ny party of record may serve upon other parties . . . written interrogatories to be answered by the party served. . . . Each interrogatory shall be answered separately and fully in writing, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer.” S.C. Code Ann. Regs. 103-833(B). Likewise, under Commission Rule 103-833(c), “[a]ny party of record may serve upon other parties . . . requests for production of documents and things to be answered by the party served. . . . Each request for production of documents and things shall be answered separately and fully in writing, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer.” S.C. Code Ann. Regs. 103-833(C).

The South Carolina Rules of Civil Procedure—which “govern all discovery matters not covered in Commission Regulations,” S.C. Code Ann. Regs. 103-835—allow for broad discovery as to any information “which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party.” S.C. R. Civ. P. 26(b)(1). Given the broad scope of discovery, courts have admonished responding parties against using objections to circumvent their responsibility to respond. *See Curtis v. Time Warner Entertainment-Advance/Newhouse Partnership*, No. 3:12-cv–

2370–JFA, 2013 WL 2099496 (D.S.C. May 14, 2013) (outlining rules that apply to discovery objections).

The Company’s discovery requests in this case are narrowly tailored to elicit information necessary for the Company and the Commission to assess the sufficiency and reliability of Mr. Kadoshnikov’s claims. Commission Rule 103-833 is clear—parties must answer each relevant interrogatory served upon them, and the Commission should compel Complainant to respond to each of the Company’s outstanding questions. Mr. Kadoshnikov has made no showing that the Company’s questions are unreasonable, burdensome, or otherwise excessive. *See* S.C. R. Civ. P. 26(a), (b). Complainant has failed to provide even a semblance of a response to any of DEC’s limited discovery requests, and the failure to provide this information impairs DEC’s ability to prepare its direct testimony, which is due to be filed with the Commission by April 27, 2021. Without an order requiring Complainant to provide responses to DEC’s interrogatories and to produce responsive documents, neither the Company nor the Commission have the information necessary to evaluate the substance and credibility of Complainant’s claims.

B. The Fifth Amendment has extremely narrow applicability and does not apply in this case.

Complainant erroneously invokes the Fifth Amendment in evading his responsibility to respond to discovery. The Fifth Amendment may be invoked only under extremely narrow circumstances, which clearly do not apply in this case.

The Fifth Amendment to the United States Constitution sets forth the right against self-incrimination as follows: “No person . . . shall be compelled in any criminal case to be a witness against himself . . .” U.S. Const. amend. V. The South Carolina Constitution also provides for a right against self-incrimination: “[N]or shall any person be compelled in any criminal case to be a witness against himself.” S.C. Const. art. I, § 12.

In re Care & Treatment of Canupp, 380 S.C. 611, 616–17, 671 S.E.2d 614, 616–17 (Ct. App. 2008). While this is not a criminal case, it appears that the right against self-incrimination as

related to criminal culpability also extends to civil proceedings. In *Grosshuesch v. Cramer*, 377 S.C. 12, 659 S.E.2d 112 (2008) (*Cramer*), a civil matter, the defendants refused to respond to any discovery and instead invoked the Fifth Amendment. The South Carolina Supreme Court explained the application of the amendment in that context as follows:

[T]he privilege against self-incrimination has been explained in practical terms as an assurance that an individual will not be compelled to produce evidence or information which may be used against him in a later criminal proceeding. . . . That a party has invoked the privilege against self-incrimination, however, does not end the matter. Instead, it is well-settled that an invocation of the privilege is confined to instances where a person has reasonable cause to apprehend danger from his answer. Indeed: The witness is not exonerated from answering merely because he declares that in doing so he will incriminate himself—his say-so does not of itself establish the hazard of incrimination. It is for the court to say whether his silence is justified and to require him to answer if it clearly appears to the court that he is mistaken.

The Fourth Circuit has instructed that a court judging the invocation of the privilege against self-incrimination asks first whether the information is incriminating in nature, and second, whether there is a sufficient possibility of criminal prosecution to trigger the privilege. In determining whether the information is incriminating, the *Sharp* court recognized that at least two categories of potentially incriminating questions exist. First, there are questions whose incriminating nature is evident on the question's face in light of the question asked and the surrounding circumstances. Second, there are questions which though not overtly incriminating, can be shown to be incriminating through further contextual proof.

Cramer, 377 S.C. at 22–23, 659 S.E.2d at 117–18 (internal citations omitted).

It is grossly unclear how responding to the Company's very limited and reasonable discovery would incriminate Complainant in a criminal proceeding. Nevertheless, based upon the principles articulated in *Cramer*, it is for the Commission to determine whether Complainant's refusal to respond to the discovery requests is justified, and to require him to answer if it appears to the Commission that he is mistaken.

C. The Company requests that, should Complainant continue to fail to respond to the Company's discovery requests, that the Commission dismiss the Complaint.

The South Carolina Rules of Civil Procedure provide that if a party fails to permit discovery, the presiding court may make such orders in regard to the failure as are just, including the following:

(A) An order that the matters regarding which the order was made or any other designated facts shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order;

(B) An order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting him from introducing designated matters in evidence;

(C) An order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or dismissing the action or proceeding or any part thereof, or rendering a judgment by default against the disobedient party;

(D) In lieu of any of the foregoing orders or in addition thereto, an order treating as a contempt of court the failure to obey any orders except an order to submit to a physical or mental examination;

(E) Where a party has failed to comply with an order under Rule 35(a) requiring him to produce another for examination, such orders as are listed in paragraphs (A), (B), and (C) of this subdivision, unless the party failing to comply show that he is unable to produce such person for examination.

In lieu of any of the foregoing orders or in addition thereto, the court shall require the party failing to obey the order or the attorney advising him or both to pay the reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust.

Rule 37(b)(2), S.C.R.C.P. Pursuant to the provisions of this rule, the Company requests that the Commission dismiss the Complaint should Complainant fail to provide the information sought in Discovery, and to provide such other sanctions as the Commission may deem appropriate.

III. CONCLUSION AND REQUEST FOR RELIEF

WHEREFORE, for the foregoing reasons, Duke Energy Carolinas, LLC respectfully requests that the Commission grant its Motion and enter an order:

1. Compelling Complainant to respond, in full, to the First Set of Discovery and Second Set of Discovery by a date certain;
2. Compelling Complainant to respond, in full, to any future discovery propounded;
3. Holding the Company's testimony filing deadline and the hearing date in abeyance pending resolution of this Motion;
4. Dismiss the Complaint should Complainant fail to provide complete responses to the Discovery by the date established by the Commission; and
5. Provide such other relief as the Commission deems appropriate.

Respectfully submitted, this the 9th day of April, 2021.

s/ Katie M. Brown

Katie M. Brown, Counsel
 Duke Energy Carolinas, LLC
 40 West Broad Street, Suite 690
 Greenville, SC 29601
 Telephone (864) 370-5045
Katie.brown2@duke-energy.com

Frank R. Ellerbe, III (SC Bar No. 01866)
 Samuel J. Wellborn (SC Bar No. 101979)
 ROBINSON GRAY STEPP & LAFFITTE, LLC
 1310 Gadsden Street
 Columbia, SC 29201
 (803) 929-1400
fellerbe@robinsongray.com
swellborn@robinsongray.com

Attorneys for Duke Energy Carolinas, LLC



ROBINSON
GRAY

Litigation + Business

March 17, 2021

VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk / Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Alex Kadoshnikov v. Duke Energy Carolinas, LLC
Docket No. 2020-218-E

Dear Ms. Boyd:

Pursuant to S.C. Code Regs. Ann. 103-833, attached for filing, please find Duke Energy Carolinas, LLC's First Set of Discovery Requests to Complainant, which were served on March 17, 2021.

Kind regards,

Sam Wellborn

SJW:tch

Enclosure

cc w/enc: Alex Kadoshnikov (via email and US Mail)
Alexander W. Knowles, Esquire, SC ORS (via email)
Carri Grube Lybarker, SC Dept of Consumer Affairs (via email)
Roger P. Hall, Counsel, SC Dept Consumer Affairs (via email)
Heather Shirley Smith, Deputy General Counsel (via email)
Katie M. Brown, Counsel (via email)

EXHIBIT A**BEFORE****THE PUBLIC SERVICE COMMISSION OF****SOUTH CAROLINA****DOCKET NO. 2020-218-E****IN RE:**

Alex Kadoshnikov,
Complainant/Petitioner

v.

Duke Energy Carolinas, LLC,
Defendant/Respondent

**DUKE ENERGY CAROLINAS,
LLC'S FIRST SET OF
DISCOVERY TO
COMPLAINANT**

Duke Energy Carolinas, LLC ("DEC"), by and through its legal counsel, pursuant to Rule 103-833 of the Rules of Practice and Procedure of the South Carolina Public Service Commission, hereby serves Alex Kadoshnikov ("Complainant") with the following First Set of Requests for Production and Interrogatories to be answered **on or before April 6, 2021**.

Please note that these Requests for Production and Interrogatories are continuing in nature until the date of the hearing, and that any information or responsive materials identified after your responses have been served upon the undersigned counsel should be provided to counsel for DEC through supplemental responses as soon as possible after such identification.

INSTRUCTIONS

1. Please produce the requested information and documents, and organize and label them to correspond with the numbers in the Request. Documents attached to each other should not be separated.

2. Please provide responses to the following data requests electronically via email to Katie.Brown2@duke-energy.com and swellborn@robinsongray.com. To the extent this is impracticable, the responses, including any responsive Documents, should be provided at the offices of Robinson, Gray, Stepp & Laffitte, LLC, 1310 Gadsden Street, Columbia, South Carolina 29201 on or before April 6, 2021.

EXHIBIT A

3. Please execute the Certification that follows these Requests.

Dated this 17th day of March, 2021.

s/Samuel J. Wellborn
Samuel J. Wellborn
ROBINSON GRAY STEPP & LAFFITTE, LLC
Post Office Box 11449
Columbia, South Carolina 29211
Telephone: (803) 929-1400
swellborn@robinsongray.com

Attorney for Duke Energy Carolinas, LLC

EXHIBIT A

INTERROGATORIES

1-1 Please provide a summary of your education and professional experience.

RESPONSE:

1-2 Please state your current occupation.

RESPONSE:

1-3 Did Duke Energy Carolinas relocate your meter to a structure or pole away from your residence? If so, on what date?

RESPONSE:

1-4 Who choose the location for the new meter structure, and who constructed the new meter structure?

RESPONSE:

1-5 How many feet away from your house is your meter now located?

RESPONSE:

1-6 Have you perceived or experienced any symptoms that you believe are attributable to the smart meter installed at your residence?

RESPONSE:

1-7 Have you consulted with a South Carolina-licensed physician concerning the matters discussed in your complaint or the symptoms described in response to Interrogatory 1-5, if any? If so, when did you consult with a physician and did you receive a diagnosis?

RESPONSE:

EXHIBIT A

- 1-8 Are you the author of “Irradiated,” the attachment to your “testimony” filed in the docket on December 8, 2020. If not, was “Irradiated” prepared at your direction and under your supervision?

RESPONSE:

- 1-9 Please identify with specificity the portions, if any, of your December 8, 2020 “testimony” filing that were based upon your personal perceptions or observations?

RESPONSE:

REQUESTS FOR PRODUCTION

- 1-1 Please provide your curriculum vitae or résumé.

RESPONSE:

CERTIFICATION

I, Aleksy Kadoshnikov, state that the contents of these Responses to Interrogatories and Requests for Production are true, accurate and correct to the best of my knowledge, information and belief. I certify that the foregoing statement made by me is true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt.

(SIGNATURE)

(DATE)

EXHIBIT A

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO. 2020-218-E

Alex Kadoshnikov,

Complainant/Petitioner,

v.

Duke Energy Carolinas, LLC,

Defendant/Respondent.

CERTIFICATE OF SERVICE

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Robinson Gray Stepp & Laffitte, LLC, have this day caused to be served upon the person(s) named below **Duke Energy Carolinas, LLC's First Set of Discovery Requests to Complainant** in the foregoing matter via electronic mail and/or U.S. Mail as follows:

Alex Kadoshnikov
[]
Inman, SC 29349
all1e1x@yahoo.com

Alexander W. Knowles
Office of Regulatory Staff
aknowles@ors.sc.gov

Carri Grube-Lybarker
SC Department of Consumer Affairs
clybarker@scconsumer.gov

Robert P. Hall
SC Department of Consumer Affairs
rhall@scconsumer.gov

Dated at Columbia, South Carolina this 17th day of March, 2021.



EXHIBIT B

From: Alex <a1l1e1x@yahoo.com>
Sent: Monday, April 5, 2021 10:48 AM
To: Samuel J. Wellborn
Cc: Brown, Katie
Subject: RE: FILED: DEC's First Set of Discovery to Complainant - Do

A motion of discovery.

I need a reply by this Friday at 12 pm as I need to prepare for my next filing coming up.

I want to remind the Public Service Commission that they are a trust and I am a beneficiary. I urge you to do your duty and settle matters. When it comes to Duke Energy, I want to remind the commissioners that they first off are loyal to the bar, then to the state. Their loyalty is not with the Public Service Commission or even the people of South Carolina.

Since I am guilty until I prove myself innocent those same standards should apply to Duke Energy. For Duke Energy to win their case they have to prove that smart meters are safe, do not cause fires, do not steal people's information and resell data to advertising giants, do not intentionally make people ill and eventually kill them, the collector meters do kill everyone they just need time (I can prove the above, I have a witness that has proven causality. If they fail to prove the above and the many other things discussed in my letters they have lost their case.

Two questions for the Public Service Commission (66 questions for Duke Energy down below).

#1 I ask for their papers that they deposited with the Public Service Commission initially before they were given the green light, so that I can go through everything and match it up with what I have.

#2 I need an answer from the Public Service Commission if you will grant my request for a grand Jury trial of 25 jurors, as my deadline is coming up for direct testimony. I need an answer by Friday of this week if not earlier. Thank you.

As far as Duke Energy's motion of Discovery my answer to every question is: I plead the fifth.

66 Questions for Duke Energy, with question 66 having 6 total questions.

#1 Prove that when collectors or meters that collect the data from the meters around them are 100% safe and they do not harm individuals (I can prove the opposite of this, you prove they are safe).

#2 Prove that smart meters do not violate people's right to privacy. And that you do not sell their data to marketing companies among others.

#3 Prove that smart meters are grounded safely.

#4 Prove that they do not cause fires.

#5 Prove that they do not make people ill, sick, nauseous, and kill some.

#6 Prove that they do not cause harm to living matter like plants, and bees.

EXHIBIT B

- #7 Prove to the Public of South Carolina the testing that you have done to ensure they are safe.
- #8 How much money has been invested into researching the safety aspects of smart meters?
- #9 Which scientist can attest to the fact that this new technology will not in any way interfere, harm, hurt, make ill people or other living organisms.
- #10 How much time was invested into testing the safety of smart meters by Duke Energy?
- #11 Why are people's homes condemned if they choose to go off grid.
- #12 Is it ethical and right to condemn a person's home if they choose to go off grid.
- #13 Who gave you the jurisdiction to condemn people's homes?
- #14 Why do you choose to call law enforcement and arrest peaceful people that choose not to have smart meters installed?
- #15 Is it ethical and right to arrest people when they do not want a smart meter?
- #16 Why is force used first when an individual does not want a smart meter?
- #17 Provide the documents that you provided to the Public Service Commission before your request was granted to put these meters on people's homes. All of the documentation that you filed with the Public Service Commission.
- #18 Is it moral to cause shareholders of Duke Energy to get ill, sick and die of the RF-radiation of the smart meters?
- #19 Is it ethical to do no testing on the safety of smart meters?
- #20 Is it ethical to destroy the reputation of scientists that for example published the harmful effects of the Motorola cell phone?
- #21 Is it right to destroy the reputation of scientists that for example published the harmful effects of the Motorola cell phone?
- #22 is it ethical to charge people an opt out fee when they never opted in?
- #23 is it right to charge people an opt out fee when they never opted in?
- #24 Is it a good business practise to fire meter fire meter readers?
- #25 Is it right to fire meter fire, meter readers?
- #26 What percentage of meter readers were rehired for different positions at Duke Energy?
- #27 Is it ethical to invest zero monies into testing the safety of smart meters?
- #28 Is it right to invest zero monies into testing the safety of smart meters?
- #29 Is it right to have no scientist test the safety of smart meters?
- #30 Is it ethical to have no scientist test the safety of smart meters?

EXHIBIT B

- #31 Is it a good business practice to have no scientist test the safety of smart meters?
- #32 What public forums did you hold before installing smart meters on people's homes, so that people could ask questions.
- #33 How long did these question and answer sessions go for, and how many questions were asked.
- #34 What questions were asked at these public forums.
- #35 What were the responses to these questions?
- #36 If it turns out that smart meters do harm people, what action will Duke Energy take?
- #37 How much money does Duke Energy have set aside to fight against the removal of smart meters.
- #38 How much money is set aside for legal fees to protect Duke Energy's smart meter program.
- #39 Does Duke Energy have the ability to shut off and turn on power with a flip of a switch, or by computer remotely?
- #40 How much money was invested into the smart meter program.
- #41 Has Duke Energy conducted any dirty electricity tests with a meter right in front of the meter?
- #42 How come when an individual puts a shield over their meter the electronic device measuring RF-RADIATION dramatically drops?
- #43 Why is it when you call into Duke Energy and ask questions about the smart meter you get different answers?
- #44 Doesn't it seem like someone is trying to cover something up by offering a wide range of answers that don't even look like the previous answers you've gotten when asking about smart meters?
- #45 Why has Duke Energy failed to provide paperwork about Smart meters when asked?
- #46 Is it ethical to provide absolutely nothing when asking about the safety concerns of a smart meter when it comes to papers.
- #47 Is it ethical to pass the individual to contact Itron and others for paper work?
- #48 When you do business with a manufacturer they provide instructions with the proper use. Where is the instruction manual?
- #49 Where is the instruction manual for precautions?
- #50 Where are the warnings, like they are required for simple products like ladders in children's toys and plastic bags?
- #51 Why is Duke Energy not transparent. Why are all the answers vague and there is never any clarity.
- #52 Is Duke Energy aware that if in the very beginning answers were given, paper work provided, and 1-800-0000 hotline set up, this case would not have escalated to these proportions?
- #53 Is honesty important in doing business with the public?

EXHIBIT B

#54 On a 5 point scale with one being not important and five being important, how important is it to be ethical with the Public?

#55 On a 5 point scale with one being not important and five being important, how important is it to be transparent with the Public Service Commission?

#56 Has Duke Energy ever lied to the Public since its inception.

#57 If Duke Energy has ever lied since its inception, did it lie, and how?

#58 Has Duke Energy ever covered up its lies from its inception?

#59 Is it immoral to lie?

#60 Are there consequences to lying?

#61 Are there consequences to murder?

#62 Are there consequences to making people ill?

#63 is it true that first Duke Energy is worried about the shareholders and being profitable?

#64 Why did smart meters get installed in record time with no public discourse?

#65 Is it an ethical business practise to rush a brand new technology with no input from the public?

#66 Why has Duke Energy not answered any of my questions by it's attorneys? No attempt has even been made?

66 B. How does the general public perceive this?

66 C. How does the Public Service perceive this?

66 D. How do customers of Duke Energy look upon this?

66 E. How do shareholders look upon this?

66 F. How does the company as a whole look by practicing in these activities of answering no questions, yet demanding answers to their questions?

I wanted to keep this letter short as I value the time of the commissioners.

Respectfully,

Alex.



ROBINSON
GRAY

Litigation + Business

SAMUEL J. WELLBORN

DIRECT 803 231.7829 DIRECT FAX 803 231.7878

swellborn@robinsongray.com

April 5, 2021

VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk / Executive Director
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Re: Alex Kadoshnikov v. Duke Energy Carolinas, LLC
Docket No. 2020-218-E

Dear Ms. Boyd:

Pursuant to S.C. Code Regs. Ann. 103-833, attached for filing, please find Duke Energy Carolinas, LLC's Second Set of Discovery Requests to Complainant, which were served on April 5, 2021.

Kind regards,

Sam Wellborn

SJW:tch

Enclosure

cc w/enc: Alex Kadoshnikov (via email and US Mail)
Alexander W. Knowles, Esquire, SC ORS (via email)
Carri Grube Lybarker, SC Dept of Consumer Affairs (via email)
Roger P. Hall, Counsel, SC Dept Consumer Affairs (via email)
Heather Shirley Smith, Deputy General Counsel (via email)
Katie M. Brown, Counsel (via email)

EXHIBIT C**BEFORE****THE PUBLIC SERVICE COMMISSION OF****SOUTH CAROLINA****DOCKET NO. 2020-218-E****IN RE:**

Alex Kadoshnikov,
Complainant/Petitioner

v.

Duke Energy Carolinas, LLC,
Defendant/Respondent

**DUKE ENERGY CAROLINAS,
LLC'S SECOND SET OF
DISCOVERY TO
COMPLAINANT**

Duke Energy Carolinas, LLC ("DEC"), by and through its legal counsel, pursuant to Rule 103-833 of the Rules of Practice and Procedure of the South Carolina Public Service Commission, hereby serves Alex Kadoshnikov ("Complainant") with the following Second Set of Requests for Production and Interrogatories to be answered **on or before April 26, 2021.**

Please note that these Requests for Production and Interrogatories are continuing in nature until the date of the hearing, and that any information or responsive materials identified after your responses have been served upon the undersigned counsel should be provided to counsel for DEC through supplemental responses as soon as possible after such identification.

INSTRUCTIONS

1. Please produce the requested information and documents, and organize and label them to correspond with the numbers in the Request. Documents attached to each other should not be separated.

2. Please provide responses to the following data requests electronically via email to Katie.Brown2@duke-energy.com and swellborn@robinsongray.com. To the extent this is impracticable, the responses, including any responsive Documents, should be provided at the offices of Robinson, Gray, Stepp & Laffitte, LLC, 1310 Gadsden Street, Columbia, South Carolina 29201 on or before April 26, 2021.

EXHIBIT C

3. Please execute the Certification that follows these Requests.

Dated this 5th day of April, 2021.

s/Samuel J. Wellborn
Samuel J. Wellborn
ROBINSON GRAY STEPP & LAFFITTE, LLC
Post Office Box 11449
Columbia, South Carolina 29211
Telephone: (803) 929-1400
swellborn@robinsongray.com

Attorney for Duke Energy Carolinas, LLC

EXHIBIT C

INTERROGATORIES

1-1 Please provide the following information for each witness you intend to provide testimony in the above-referenced docket:

- a) Full name;
- b) Subject matter for which the witness intends to testify;
- c) Current occupation;
- d) Employer; and
- e) Address.

RESPONSE:

1-2 Please provide a summary of the education and professional experience of each witnesses you intend to provide testimony in the above-referenced docket.

RESPONSE:

1-3 Is any witness you intend to provide testimony in the above-referenced docket the author of "Irradiated," the attachment to your "testimony" filed in the docket on December 8, 2020, or was "Irradiated" prepared at their direction and under their supervision? If so, please identify the witness.

RESPONSE:

REQUEST FOR PRODUCTION

1-1 Please provide the provide the curriculum vitae or résumé for each witness you intend to provide testimony in the above-referenced docket:

RESPONSE:

EXHIBIT C

CERTIFICATION

I, Aleksy Kadoshnikov, state that the contents of these Responses to Interrogatories and Requests for Production are true, accurate and correct to the best of my knowledge, information and belief. I certify that the foregoing statement made by me is true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt.

(SIGNATURE)

(DATE)

EXHIBIT C

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO. 2020-218-E

Alex Kadoshnikov,

Complainant/Petitioner,

v.

Duke Energy Carolinas, LLC,

Defendant/Respondent.

CERTIFICATE OF SERVICE

This is to certify that I, Toni C. Hawkins, a paralegal with the law firm of Robinson Gray Stepp & Laffitte, LLC, have this day caused to be served upon the person(s) named below **Duke Energy Carolinas, LLC's Second Set of Discovery Requests to Complainant** in the foregoing matter via electronic mail and/or U.S. Mail as follows:

Alex Kadoshnikov
[]
Inman, SC 29349
all1e1x@yahoo.com

Alexander W. Knowles
Office of Regulatory Staff
aknowles@ors.sc.gov

Carri Grube-Lybarker
SC Department of Consumer Affairs
clybarker@scconsumer.gov

Robert P. Hall
SC Department of Consumer Affairs
rhall@scconsumer.gov

Dated at Columbia, South Carolina this 5th day of April, 2021.



**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET 2020-218-E

IN RE:

ALEX KADOSHNIKOV
Complainant/Petitioner,

v.

DUKE ENERGY CAROLINAS, LLC,
Defendant/Respondent.

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CERTIFICATE OF SERVICE

The undersigned, Lyndsay McNeely, Paralegal for Duke Energy Carolinas, LLC, does hereby certify that she has served the persons listed below with a copy of Duke Energy Carolinas, LLC's Motion to Strike in the above-captioned proceedings via electronic mail and U.S. Mail as specified below on April 9, 2021.

Alex Kadoshnikov
Complainant
[]
Inman, SC 29349
allex1x@yahoo.com

Alexander W. Knowles
Office of Regulatory Staff
aknowles@ors.sc.gov

Carri Grube – Lybarker
SC Department of Consumer Affairs
clybarker@scconsumer.gov

Roger P. Hall
SC Department of Consumer Affairs
rhall@scconsumer.gov

Heather Shirley Smith
Duke Energy Carolinas, LLC
heather.smith@duke-energy.com

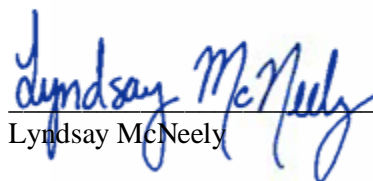
Rebecca J. Dulin
Duke Energy Progress, LLC
rebecca.dulin@duke-energy.com

Katie M. Brown
Duke Energy Carolinas, LLC
katie.brown2@duke-energy.com

Frank Ellerbe, III
Robinson Gray Stepp & Laffitte, LLC
fellerbe@robinsongray.com

Samuel Wellborn
Robinson Gray Stepp & Laffitte, LLC
swellborn@robinsongray.com

Dated this 9th day of April, 2021.


Lyndsay McNeely